



# 16

PTO/SB/29 (10/00)

Appr. 1/03 for use through 10/31/2002. OMB 0651-0032

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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

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Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

Address to:

Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Dock t N  
of Prior Application

469201-367

First Named Inventor

Johnson

Examiner Name

Ewoldt

Group Art Unit

1644

Express Mail Label No.

EL680649221US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/158,120, filed on September 21, 1998,  
entitled "Human-Murine Chimeric Antibodies Against Respiratory Syncytial Virus".

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either:  
(1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with  
35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior  
nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of  
the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional  
Application Practice" Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20,  
2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but  
must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon  
the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a  
continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by  
the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of  
37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to,  
copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the  
specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be  
entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned  
the application number identified in such request, 35 CFR 178(a)

**WARNING:** Information on this form may become public. Credit card information should not be  
included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
  
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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Burden Hour Statement: This form is estimated to take 0.4 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments  
on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C.  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box CPA, Washington, D.C. 20231.



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PATENT TRADEMARK OFFICE

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) OR (i))	7 - 20* =	0	x \$ ____ =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(c) OR (i))	2 - 3** =	0	x \$ ____ =	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ ____ =	0
				BASIC FEE (37 CFR 1.16)	\$740.00
				Total of above Calculations =	740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				370.00
	* Reissue claims in excess of 20 and over original patent.				
	** Reissue independent claims over original patent.			TOTAL	\$370.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03-0678.
- a. ☒ Fees required under 37 CFR 1.16
- b. ☒ Fees required under 37 CFR 1.17
- c. ☒ Fees required under 37 CFR 1.18
8. ☒ A check in the amount of \$370.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired  
(prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein)
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other:

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

## 14. NEW CORRESPONDENCE ADDRESS

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27162

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

Country

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## 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)

Raymond J. Lillie, Esq.

Signature

Registration No. (Attorney/Agent)

31,778

Date

December 10, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/158,120	09/21/1998	1644	872	469201-367	10	10	4

CONFIRMATION NO. 3563

## CORRECTED FILING RECEIPT



\*OC000000007240395\*

ELLIOT M OLSTEIN  
CARELLA BYRNE BAIN GILFILLAN  
CECCHI STEWART & OLSTEIN  
6 BECKER FARM ROAD  
ROSELAND, NJ 07068

Date Mailed: 12/28/2001

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

LESLIE SID JOHNSON, GERMANTOWN, MD;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 10/21/1998

CPA filed on: 12/10/2001

Projected Publication Date: 04/11/2002

Non-Publication Request: No

Early Publication Request: No

Title

HUMAN-MURINE CHIMERIC ANTIBODIES AGAINST RESPIRATORY SYNCYTIAL VIRUS

Preliminary Class

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Cod , Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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